

**EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

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It is, therefore, **ORDERED** that Defendant Lexington Realty Trust's Motion for Summary Judgment (Dkt. #101) is **GRANTED** in part and **DENIED** in part. The claims for fraudulent inducement, promissory estoppel, and quantum meruit are dismissed. The claims for alter ego liability, joint venture, fraudulent omission/fraud in the performance, and Section 91.004 of the Texas Property Code remain.

It is SO ORDERED.

SIGNED this 28th day of April, 2011.

A handwritten signature in black ink, reading "Michael H. Schneider", written over a horizontal line.

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE